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Drag Queen Pattie Gonia Speaks Out Months After Patagonia Sued Her

"If they're 'in business to save the home planet,' why are they suing a climate activist?" the performer and activist said about the outdoor clothing brand

By David Chiu / Published on May 28, 2024 03:41 PM EDT

3 COMMENTS

Pattie Gonia attends the Out100 Celebration 2022 at Pier Studios on Nov. 01, 2022 in Los Angeles. Credit: Presley Ann/Getty

NEED TO KNOW

- Outdoor clothing brand Patagonia filed a lawsuit in January against drag performer and environmentalist Pattie Gonia, alleging that she infringed on the company's trademark
- The company accused Pattie of ignoring a February 2022 understanding about commercial use of her name
- On May 27, Pattie called on Patagonia to drop the lawsuit, alleging it is trying to "erase an activist"

Pattie Gonia, a drag queen and climate activist, has fired back at Patagonia for the first time in months after the outdoor clothing company filed a lawsuit against her over alleged trademark infringement earlier this year.

"Patagonia told the media they're only suing me for $1," Pattie, whose real name is Wyn Wiley, wrote on Instagram Wednesday, May 27. "What they're actually trying to do is take away my name permanently and threaten me with more than $1M million in legal fees."

"This is not brand conflict," Pattie further alleged. "This is a corporation trying to erase an activist. This is how corporations bully individuals who cannot match their resources."

In a complaint filed on Jan. 21, in U.S. District Court in Los Angeles, Patagonia said it brought the suit after Pattie had filed a trademark application for the right to brand Pattie Gonia for such things as apparel, online marketing services as well as promoting environmental sustainability and outdoor hiking events.

Patagonia alleged in the complaint, which was obtained by PEOPLE, that Pattie's trademark application for such products and services is in direct competition with its brand and advocacy for the last 2.5 years.

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"This enterprise contradicts Defendants' prior promises, and appropriates Patagonia's brand and identity in a way that has already confused consumers, and will continue to confuse consumers, about Patagonia's role in producing or sponsoring Pattie Gonia's products, events and public appearances," the company's complaint stated.

According to Patagonia's complaint, the company and Pattie met in February 2022 to discuss the restrictions of the use of the Pattie Gonia name. The company claimed that Pattie confirmed an understanding that she must refrain from selling Pattie Gonia-branded merchandise or use hints and designs that copy or mimic Patagonia's logos.

"Ultimately, Pattie Gonia ignored the agreement she had reached with Patagonia and began selling products under the Pattie Gonia brand," the complaint read.

Patagonia said that after it saw Pattie Gonia-branded apparel being sold on the drag performer's website in 2023, it asked her again to stop using the Pattie Gonia name for commercial purposes and adhere to the February 2022 understanding. But, according to the company, Pattie restocked her apparel line and filled the trademark application, which signaled to the company she did not intend to abide by the understanding.

"Despite Patagonia's efforts to avoid this dispute, it's left with no choice but to seek relief from the Court due to Pattie Gonia's refusal to honor the parties' prior understandings, the commercialization of the Pattie Gonia brand, the use of the brand on confusingly similar products and services, and Pattie Gonia's use of Patagonia's logos," the complaint read.

Pattie Gonia in Telluride, Colo., on May 25, 2024. Credit: Sarah Morgan for The Washington Post via Getty

In its lawsuit, Patagonia is seeking damages of $1 and an award of attorneys' fees.

Pattie said she had not spoken out about Patagonia's litigation until now. In her Instagram post, Pattie called the lawsuit a betrayal of the company's mission. "Because if they're 'in business to save the home planet,' why are they suing a climate activist?" she wrote.

"But in the end, I had two choices," Pattie later added, "1. the erasure of my name, my advocacy, my community and everyone I employ or 2. fight for myself and fight for us."

She also maintained that the origin of the Pattie Gonia name came from a 2018 backpacking trip and was inspired by the South American region Patagonia, which predates "both me and the clothing brand by five hundred years."

On the trademark infringement issue, Pattie claimed that she never used Patagonia's logo, font or anything from the company's brand on her retail website. She also alleged there was no "agreement" made between her and the company in 2022.

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Pattie also noted the timing of Patagonia's lawsuit in the context of heightened anti-LGBTQ+ politics and attacks on the environment. "They've known about me for 8 years and the impact of this timing right now is serious and it's real," she wrote, adding that if Patagonia "wants to celebrate Pride this year by taking a queer climate activist to federal court, then I'm here to fight for myself and fight for us."

She concluded her statement on Instagram with a pointed message: "Patagonia, drop the lawsuit."

Additionally, on her website, Pattie shared an open letter, which was addressed to Patagonia CEO Ryan Gellert about the litigation against her. "When Patagonia, Inc., sued me without warning in January, I started immediately pursuing an amicable settlement. I have believed from the beginning that there is room for an agreement that protects your trademark while letting me keep my name and my work. I believe that still today," the letter stated in part.

"This lawsuit serves no good purpose. Let's make peace and get back to our common love of the planet including our namesake region in South America named Patagonia," she wrote.

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Patagonia shared a statement with PEOPLE on Thursday, May 28, following Pattie's comments on the lawsuit. "Over the past several years, we've tried to find a path forward that would allow Pattie Gonia to continue their work while also protecting the Patagonia trademark. These conversations have included multiple proposals—each intended to support that path—along with ongoing dialogue and genuine efforts to avoid this ending up in court. Unfortunately, we could not reach an agreement," the company wrote.

"Patagonia has a responsibility to protect the company that generations of employees have helped build. Not because a name matters more than people, but because that name carries true purpose, and decades of work connected to environmental activism, product, storytelling and community impact. Protecting the Patagonia trademark is part of protecting the ability of this company to continue doing that work in the future," it further read.

"This matter is not about seeking financial gain, nor is it about challenging anyone's identity or right to advocacy, protest, or creative expression. The last thing we wanted was a legal fight with someone who shares our values, but we must protect our business and employees," the company concluded.

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GwenZy · 1 hr ago

How petty. It's even spelled differently. Patagonia, grow up. Dear Pattie, my son is now my daughter and she is my hero. Just like you are.

Reply · 0 · 0

L · 4 hrs ago

They're suing because no one cares about the clothing but everyone is supporting Pattie Gonia. Honestly didn't know there was a clothing brand going by the name of Patagonia. Only knew it to be a South American region. Also it really looks bad for a company to be doing this while claiming to be pro-Planet. Patagonia would be better off leaving people alone. Pattie Gonia to be a brand rep for them than this silly $1 (read millions) suit.

Reply · 0 · 0

CONCERNED · 5 hrs ago

Plummets.

Reply · 0 · 0

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